

Subject: Re: CPRA request (LAATTY.2019.12.19.b)
From: Bethelwel Wilson <bethelwel.wilson@lacity.org>
Date: 1/13/20, 11:40 AM
To: [REDACTED]
CC: Frank Mateljan <frank.mateljan@lacity.org>

Hello [REDACTED]

Staff estimates there are no more than 7 referral forms responsive to the request. Because staff does not track their cases by referral form they do not know on which of the 479 cases contain the forms, so they would have to physically go through all 479 case files for the 2018 and 2019 periods to determine which ones contain the referral form. Would there be a less intensive manner for us to respond to your request?

-B

On Mon, Dec 23, 2019 at 7:13 PM [REDACTED] wrote:

Good evening, Mr. Wilson!

And thank you for your prompt response.

Please reconsider these broad exemption claims.

First of all, none of this info can be attorney work product since it's neither prepared by an attorney nor submitted to an attorney for the purpose of seeking legal advice.

Secondly, it's not investigative because it's the basis on which someone decides whether or not to begin an investigation. These forms are analogous to calls for service to the police, which are records universally acknowledged to be free of defensible exemption claims.

Third, while I will concede that there may be a colorable argument with respect to your 6255(a) claim regarding the identities of members of the public who complain, you can fix this right up by redacting the identities of the complainants.

Finally, your claim that the public interest in "preserving of the integrity of investigations by law enforcement outweighs the public interest in disclosure" is not only not true, but even if it were true it wouldn't be sufficient to allow the records to be withheld. The statute, as you know, requires that the public interest in withholding *clearly* outweigh the public interest in release.